

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA

VS.

KELLY DEBRAY WALLACE,

Supervised Releasee

NO. 5: 06-CR-119 (HL)

RE: SUPERVISED RELEASE VIOLATION

ORDER

KELLY DEBRAY WALLACE, a **SUPERVISED RELEASEE** in the above-styled criminal proceeding, this day appeared before the undersigned for a hearing under provisions of Rule 32.1 of the Federal Rules of Criminal Procedure. He was advised of the nature of the proceedings against him and of his legal and constitutional rights. With the assistance of legal counsel, said **SUPERVISED RELEASEE** waived a preliminary hearing under Rule 32.1(b)(1) of the *Rules* and agreed that a **FINAL** hearing could be scheduled under Rule 32.1(b)(2).

Upon consideration of the government's motion seeking detention of the **SUPERVISED RELEASEE** pending his final revocation hearing, and in light of the provisions of 18 U.S.C. §3143(a), the court finds that release from custody at this time is inappropriate in this case. Grounds for revocation set forth in the PETITION FOR ACTION ON SUPERVISED RELEASE include allegations that the **SUPERVISED RELEASEE** has possessed and used crack cocaine and has violated the rules of The Potter's House, Jefferson, Georgia, by failing to report back to the facility prior to curfew due to his use of cocaine..

Accordingly, IT IS ORDERED AND DIRECTED that KELLY DEBRAY WALLACE be **DETAINED** by the United States Marshal until further order of the court. While held in custody, said **SUPERVISED RELEASEE** shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility wherein he is confined shall deliver him to the United States Marshal for the purpose of an appearance in connection with this court proceeding. Said **SUPERVISED RELEASEE** shall appear before the Honorable Hugh Lawson, district judge, for a FINAL HEARING as directed by Judge Lawson. The Clerk of Court is directed to forward this order and the within file to Judge Lawson for the scheduling of said FINAL HEARING at the earliest possible time.

SO ORDERED AND DIRECTED, this 29th day of AUGUST, 2008.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE